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October 18, 2007

VIA E-FILING

The Honorable Martin J. Jenkins
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Re: Kendall v. Hartford Fire Insurance Co.
Case No.: C-07-3713 MJJ

Dear Judge Jenkins:

This firm represents Plaintiff John T. Kendall, Trustee, in the above-referenced matter. By this letter, Plaintiff respectfully requests that the Court order Defendant Hartford Fire Insurance Company to comply with its directive to file and serve its notice and motion for withdrawal of the dispute from the United States Bankruptcy pursuant to the Court's local rules.

On July 19, 2007, the United State Bankruptcy Court transferred the above-referenced matter to the United States District Court for purposes of adjudicating Defendant's Motion for Withdrawal of Reference. In August 14, 2007 correspondence to counsel (enclosed), the Clerk for the District Court directed that notice of the Motion be made pursuant to Civil Local Rule 7-2(a). To date, Defendant has ignored the Court's directive, and, for more than two months after the fact, the case has stalled completely.

The dispute underlying the withdrawal motion centers on the Complaint for Declaratory Relief filed by Plaintiff in Bankruptcy Court against Defendant. In his complaint, Plaintiff seeks declaratory relief from the Court as to Defendant's obligations to Debtor Plan Compliance Group, Ltd. under a fidelity bond for employee theft, fraud, and dishonesty. That the matter be delayed here only benefits Defendant, yet it is in Defendant's hands to ensure that the hearing process is initiated by complying with the Court's August 14th directive.

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In light of the significant delay caused by Defendant's inaction, Plaintiff respectfully requests that the Court order Defendant's compliance with its directive to initiate the District Court litigation by filing notice immediately.

Very truly yours,

FITZGERALD ABBOTT & BEARDSLEY LLP

By



William E. Adams

Enclosure

cc: Gary Valeriano, Esq.